

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

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PCT

NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 71.1)

Date of Mailing
(day/month/year)

19 JAN 2000

Applicant's or agent's file reference

400789100

IMPORTANT NOTIFICATION

International application No.

PCT/US98/26284

International filing date (day/month/year)

10 DECEMBER 1998

Priority Date (day/month/year)

10 DECEMBER 1997

Applicant

PLAYTEX PRODUCTS, INC.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

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JAN 7 2000

**OHLANDT GREELEY
RUGGIERO & PERLE**

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PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 460.1891UPU	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US98/26284	International filing date (<i>day/month/year</i>) 10 DECEMBER 1998	Priority date (<i>day/month/year</i>) 10 DECEMBER 1997
International Patent Classification (IPC) or national classification and IPC Please See Supplemental Sheet.		
Applicant PLAYTEX PRODUCTS, INC.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

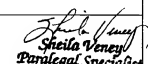

2. This REPORT consists of a total of 4 sheets.

 This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 0 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of report with regard to novelty, inventive step or industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 08 JULY 1999	Date of completion of this report 10 DECEMBER 1999
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer  ALLAN SHOAP
Facsimile No. (703) 305-3230	Telephone No. (703) 308-1038 

I. Basis of the report

1. This report has been drawn on the basis of *(Substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain*

- ☒ the international application as originally filed.
- ☒ the description, pages 1-12, as originally filed.
pages NONE, filed with the demand.
pages NONE, filed with the letter of _____.
pages _____, filed with the letter of _____.
- ☒ the claims, Nos. 1-17, as originally filed.
Nos. NONE, as amended under Article 19.
Nos. NONE, filed with the demand.
Nos. NONE, filed with the letter of _____.
Nos. _____, filed with the letter of _____.
- ☒ the drawings, sheets ~~Fig~~ 1-7, as originally filed.
sheets ~~Fig~~ NONE, filed with the demand.
sheets ~~Fig~~ NONE, filed with the letter of _____.
sheets ~~Fig~~ _____, filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

- ☒ the description, pages NONE.
- ☒ the claims, Nos. NONE.
- ☒ the drawings, sheets ~~Fig~~ NONE.

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the ~~Supplemental Box~~ Additional observations below (Rule 70.2(c)).

4. Additional observations, if necessary:

NONE

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US98/26284

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. STATEMENT**

Novelty (N)	Claims	NONE	YES
	Claims	1-17	NO
Inventive Step (IS)	Claims	NONE	YES
	Claims	1-17	NO
Industrial Applicability (IA)	Claims	1-17	YES
	Claims	NONE	NO

2. CITATIONS AND EXPLANATIONS

ClaimS 1-16 lack novelty under PCT Article 33(2) as being anticipated by Greenwood et al.

Greenwood et al. teach a vent disc for a drinking container having a dome portion 72 and a plurality of slit (figure 17), and depressions having conical shape as shown in figure 17.

Regarding the method claims 14-16, Greenwood et al. meet all claimed limitations with respect to the forming of the vent disc as claimed.

Claim 17 lacks novelty under PCT Article 33(2) as being anticipated by Nauta et al. Nauta et al. teach an elastomeric cellular material being pierced by means of driving while the material is being hold on by the apparatus.

----- NEW CITATIONS -----

NONE

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Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10

CLASSIFICATION:

The International Patent Classification (IPC) and/or the National classification are as listed below:

IPC(6): A61J 9/04, 9/00; F16K 15/4, B26D 7/06 and US Cl.: 215/11.5, 11.1; 137/845, 849; 425/290, 291; 83/21, 51, 117, 128